

GOODS WERE NOT UP TO STANDARD

So Says Utah Stove and Hardware Co., Which Asks \$700 Damages.

FURNACE COMPANY SUES.

Says the Merchandise Was According To Sample, and Prays Judgment For \$7,533 and Costs.

The case of the Boynton Furnace Co. against the Utah Stove & Hardware company came up for trial by jury before Judge Stewart today. By 11 o'clock the venire gave out and only seven jurors had been selected by counsel, both, Lee & Ritchie having made three peremptory challenges, all that are allowed in civil trials, while attorney C. Stanley Price for the defense had only availed himself of one. There being no more jurors at hand, the court issued an open venire for ten additional jurors, returnable at 2 o'clock this afternoon.

This is a suit in which the Boynton Furnace company seeks a judgment against the Utah Stove and Hardware company for \$7,533.77, with interest and costs for merchandise, including a number of heating furnaces. The defendant only admits that it owes the plaintiff company \$1,894.33, which amount it is ready and willing to pay. The stove and hardware company makes the charge that owing to the stipulated heating capacity, it has been damaged in the sum of \$750.

During the afternoon after the examination of time of the new venire the eighth juror was selected and counsel for the plaintiff commenced his opening statement to the jury at 2:30 o'clock. Judge Hall took Judge Stewart's place on the bench as the latter has a trial set for tomorrow, and could not get through with this trial this afternoon.

INCORRIGIBLES.

Ernest Elk and W. Donaldson were arraigned before Judge Stewart this morning on charges of incorrigibility. They are two of the messenger boys who were mixed up with the Cronin girls and were found living in a shanty behind the Board of Trade building. On motion of County Attorney Leobach the boys were allowed to go on their own recognizances.

Mrs. Mitchell Divorced.

Wm. F. Mitchell this morning obtained a decree of divorce from Mary Mitchell on the ground of desertion two years ago. The pair have been married for four years and have no children.

Motion Overruled.

Judge Hall this morning overruled the motion to strike out the cross-complaint in the divorce suit brought by Annie Mills against her husband, Stephen A. Mills. The divorce is sought on the ground of desertion at Montpelier, Idaho.

Mills Ran a Hotel at Montpelier Which He Sold.

Mills ran a hotel at Montpelier which he sold. His wife came to Salt Lake City and started a rooming house with \$3,000 or \$4,000 of her husband's money, which he now asks the court to declare to have been used in trust for him. The wife has refused to live any longer with her husband.

COURT NOTES.

On Monday, Dec. 3, Judge Hall will make a setting of cases for trial on Dec. 16, 17, 18 and 19.

On motion of plaintiff's attorney, Judge More today passed the case of Henry Hansen and Aaron Garfield to the foot of the trial calendar.

The Palmquist damage suit against the Utah and Smelter Supply company is still progressing before Judge More. By noon today the plaintiff had rested his case. Testimony for the defense was taken during the afternoon.

Try a can of the celebrated pork and baked beans, sold by the ST. HELENA SANITARIUM FOOD CO., 63 E. First South St.

JUDGE DIEHL'S COURT.

In the case of Ernest Cronk, charged with carrying a concealed weapon, a plea of not guilty was entered, and upon motion of Attorney J. D. Pardee

for the defense, the case went over until tomorrow afternoon, the bond being fixed at \$50.

Ed Murie simply said "yes" when arraigned on the charge of being drunk, and he was given 25 days.

Jake Flohn's portion was five days for being drunk.

Mosier Reeves was placed upon trial on the charge of using vile and abusive language to Mrs. Powell. The husband of the complaining witness testified as to the language used toward his wife, the details of which are not fit for publication. A son of Powell also gave similar testimony. The defense had several witnesses, one of them a daughter of the defendant, who said that Mrs. Powell forced her way into her father's house, raised a disturbance and used vulgar language. The other witnesses testified to the same.

When this report closed, the defendant was on the stand.

AMUSEMENTS.

The Company H. minstrels closed their engagement at the theatre last night; the attendance was fair considering the stormy weather.

The advance sales for Jeff D'Angela's new going on at the theatre. The leading lady of the D'Angela company is Miss Helen Byron, who enjoys quite a reputation in the profession and an actress.

Prof. McClellan, Miss Silence Dales, the violinist, and Mr. Francis Woodmansee, the Chicago pianist, will appear in Miss Carrie Bridwell's concert at the Congregational church next Saturday evening. At the close of the concert Miss Bridwell and her sister, Mrs. Kate Bridwell Anderson will give the piano solo.

"Hunting for Hawkins" is running along at the Grand; the audiences find a great deal in the comedy over which to exercise their imaginations.

The sale for the Maconda concert is going on at the Daynes music store.

"Carrie Bridwell, contralto of the famous Grand Opera Co., was noble in her songs Friday night. Apart from her superb personal presence, her singing was transcendently beautiful and grand. She is not only a great singer, she is one of those women who have tears in their voices."

At Congregational Church next Saturday evening, assisted by the charming violinist, Silence Dales, than whom no better artist has appeared in years in the city, Mr. J. J. McClellan is pianist. Tickets on sale at door.

Under full direction of Mrs. Kate B. Anderson.

Our breakfast foods and cereal coffee lead everywhere, all grocers sell them. ST. HELENA SANITARIUM FOOD CO., 63 E. First South St.

CARISA RISES.

Other Stocks About Stationary Except Boss Tweed, Which Improved.

Carisa came up during the sales in this afternoon's call on the stock exchange and a big bunch of the paper changed owners. The board showed that 20,100 shares had been sold at prices ranging from 73 to 75 cents, net after commission, right from the opening sale.

AJAX got rid of 2,200 shares at 77 down to 75; Star Consolidated, 500 shares at 31; Sunshine, 500 shares at 14; Swames, 500 shares at \$1.75; Uncle Sam, 315 at 75 to 76; United Sunbeam, 100 at 45; Lower Mammoth, 100 at \$1.75; May Day, 7,000 at 91 to 93; Rosa Tweed, 3,300 at 70 to 74. The call was still in progress when this report closed.

FEDERAL COURT.

In the case of the United States vs. Lorenzo Hatt, a motion was introduced that witnesses for the defense be subpoenaed at the expense of the United States. The judge ordered that J. E. Hinchey, A. Summerville, E. H. Ryan, and Wm. Shideler, be so subpoenaed.

The ejectment and damage case of Wm. Jones vs. John Blythe and the case of J. M. Wright vs. O. S. L. Railroad company were continued for the term. The federal court adjourned until Thursday, Dec. 5.

VALUABLE MUSIC.

Bandmaster John Held has just received ninety-two pieces of music for his band, being the entire Ditson band journal collection, and including such compositions as the overture to Lullu, the March of the Bayaderes, and other fine works. The value of this addition to the band library is about \$300.

GUNS ARRIVE.

The gun carriage and calson equipment for the Twenty-second battery arrived this morning, and was hauled up

QUICKLY CURES TOBACCO HABIT.

Anyone Can Have a Free Trial Package by Sending Name and Address.

Men need no longer face the trying ordeal of swearing off from tobacco. A well known chemist of Cincinnati has discovered a remedy that actually cures the desire for tobacco, stops the craving for cigarettes, and a cigar or

pipe smoke and makes it impossible about this new remedy is the fact that it is tasteless so that ladies mix it in food, tea or coffee, milk or chocolate, and cure their husbands, sons or brothers without their knowing how it happened.

Any man who desires to quit using tobacco may now do so in a very pleasant but thoroughly effective manner without any suffering or nervous reaction. The remedy is perfectly harmless, and anyone may have a free trial package by sending name and address to the Rogers Drug & Chemical Co., 2732 Fifth & Race Sts., Cincinnati, Ohio.

FUNERAL OF W. B. VAUGHN

Touching Services at Second Ward Meeting House.

William B. Vaughn, or that which was mortal of him, was laid away on the hillside today and scenes that were most touching. The funeral services were held from the Second ward meeting house under the auspices of the "Mormon" church, Bishop Heber C. Iverson presiding. The building was well filled, and the occasion possessed an unusual air of reverence. Though the deceased was comparatively a stranger in this city, he succeeded in gaining a strong hold upon the hearts of many people whose grief was manifested in the bitter tears that freely flowed. Many of his former associates attended the funeral and showed by their demeanor that they were deeply moved. The casket was covered with beautiful flowers, tributes from warm friends and relatives. No member of his own family was there, but there was no dearth of tears. The young wife exhibited the most touching grief and was in need of the support of her father as she walked from the church. The other members of her family were deeply affected and indeed tears were visible all through the audience.

The services were opened by a male trio singing, "Nearer My God to Thee." The prayer was offered by Elder Samuel Taylor, after which the trio sang, "I need Thee every hour."

The chief speaker was Dr. James E. Talmage, whose beautiful eulogy elicited rapt attention. It was the speaker who officiated at the marriage of the deceased, but a few weeks since, and took occasion to allude to the occasion. At that time the speaker saw that Mr. Vaughn was ill and cautioned him to be careful and to take care of his health. After the deceased was confined to his bed, the speaker, in company with another Elder, called on the patient and administered to him. The speaker then paid an eloquent tribute to the simplicity and faith of the deceased and spoke warm words of comfort to the disconsolate young widow. After offering a few glowing thoughts on the resurrection of the body and the future state of man, Elder Talmage drew his remarks to a close.

After Bishop Iverson had uttered a few appropriate words of eulogy of the dead, and sympathy for the living, the trio sang "O my Father," the services were closed by prayer by Elder Seymour B. Young, Jr.

A number of carriages followed the remains to the city cemetery, where they were interred.

TEMPLE WILL CLOSE.

The Salt Lake Temple will close on Friday evening, December 20th, and reopen on Monday, January 6th, 1902.

A fine line of dried and canned fruits, also preserves, jellies and jams always on hand at the ST. HELENA SANITARIUM FOOD CO., 63 E. First South St.

STOPS THE COUGH AND WORKS OF THE COLD.

Luxative Bromo-Quinine Tablets cure a cold in one day. No cure, No pay. Price 25 cents.

PAY TOMORROW.

The city treasurer will pay the department pay rolls tomorrow, amounting to \$5,316.53.

An Ancient Foe

To health and happiness is Scrofula—as ugly as ever since time immemorial. It causes bunches in the neck, disfigures the skin, inflames the mucous membrane, wastes the muscles, weakens the bones, reduces the power of resistance to disease and the capacity for recovery, and develops into Consumption.

"A bunch appeared on the left side of my neck. It caused great pain, was lanced, and became a running sore. I went into a general decline. I was persuaded to try Hood's Sarsaparilla, and when I had taken six bottles my neck was healed and I have never had any trouble of the kind since." Mrs. K. T. Stevens, Troy, Ohio.

"I was troubled with scrofula and came near losing my eyesight. For four months I could not see to do anything. After taking two bottles of Hood's Sarsaparilla I could see to walk around the house and when I had taken eight bottles I could see as well as I ever could." Susan A. Hainsworth, Withers, N. C.

Hood's Sarsaparilla and Pills

Will rid you of Scrofula, radically and permanently, as they have rid thousands. Accept no substitute.

Only Remedy Used in Hospitals

To cure nervous prostration is

PAINE'S CELERY COMPOUND.

Nervous prostration kills more people in America every week than all the infectious diseases will kill in a year.—Statistician of London Medical Journal.

Nervous prostration, taken in time, is absolutely, permanently cured by Paine's celery compound. There are thousands of physicians' statements to this effect. It is the only prepared remedy used in such cases in the hospitals.

Havana, Cuba, Nov. 17.—Mrs. Lola Montalvo, who was Miss Barton's assistant, and is now nurse of the Succeeding Hospital in Guanabara and wife of Mr. R. J. Montalvo, warden of the City Prison in Havana, has made this statement:

"Paine's celery compound has been used at the Guanabara Hospital as many as five years with great success. Many women were scarcely able to move; these were others with a very weak nervous system. A hundred instances could be given of our patients who have been completely cured by using this wonderful Paine's celery compound. One bottle cured a Miss Augustina Aguiro, who had heart disease. She was old and her age was against her. Other medicines had failed. May the Lord bless those individuals who brought it before the market and publish it."

PEOPLE WHO ARE PASSING

Prof. I. R. Eames, recently professor of international law at the Imperial University at Tien-Tsin, has been stopping at the Knutsford for the last two days on his way to London.

The professor is a graduate of Oxford and was sent to China by his government to teach the Chinese mind something about international relations from a legal standpoint. He had been there for two years when the Boxer movement broke loose, and before he realized it the imperial troops were besieging the city. A four-inch shell was sent whizzing through his room and barely escaped destroying his library. The war adjourned the Imperial University sine die, and with the financial support discontinued, there is no telling when the institution will be revived again. So the professor is on his way home, in company with other members of the faculty, is now out of a job. He did go to practicing law for a time in Tien-Tsin, but concluded to return to his native land.

Prof. Eames says that had the Canton province been supplied with the wherewithal in 1838 they would have revolted from the empire and set up in business for themselves. In fact he is prepared to believe that the Cantonese were ready to set up shop for themselves at any time. They are the most progressive of the Chinese and the best of the acquisition of power of the British in northern China now, the British and Germans holding Tien-Tsin. The British still hold the Peking railway, which they will not give up to the Russians without the latter give up the Manchurian railway.

"I met Frank Gould several weeks ago in the east and found him a pleasant and intelligent young fellow, entirely free from affectation," said Col. G. E. W. Dorsey of Nebraska today, in conversation with the Deseret News of the younger section of the Gould family. And in further conversation the colonel said that it was not necessary for George Gould to resort to the same tactics as his father did in years gone by as it is no longer necessary to wreck a railroad in order to gain control of it. The new trusts, combinations and security companies give ample play for the acquisitive powers of great wealth by as it is no longer necessary to wreck a railroad in order to gain control of it. The new trusts, combinations and security companies give ample play for the acquisitive powers of great wealth by as it is no longer necessary to wreck a railroad in order to gain control of it.

"California, Washington, and other old men are taking up all the lands in Wyoming and Utah," said Col. F. C. Downey of San Francisco today at the Culien, and in a few years ago from now, Salt Lake people will be asking themselves, "How is it that we overlooked such good opportunities?" Why didn't we go in and make ourselves solid on the oil power of the country? The colonel says the quickest way to ascertain whether an oil is paraffine or not is to moisten blotting paper with it, and after holding a lighted match beneath it, to place the paper on the upper side of the paper. If the oil has a paraffine base it can be readily recognized by the odor peculiar to paraffine.

"We can give you American sheep men points on the growth of sheep in Australia," said M. B. Berry, of Melbourne at the Knutsford this morning. "American growers allow their herds to trample down the range feed and to eat it close to the roots so that the grasses are easily killed out. Now the Australian grower has a series of paddocks, and as soon as one is grazed on enough, the sheep are taken to another, and so on, so that by the time the couch has been made, the first paddock is ready for use again. But the Australian grower has suffered severe losses in the last few years, the total aggregating 24,000,000 animals. Still he has over 10,000,000 sheep left. The climate and the excellent feed produce the fine wool staple for which our sheep are noted. American growers can not compete with us, and the tariff might as well be removed."

WARD ENTERTAINMENTS.

The standing of the candidates for queen of the Fourth ward carnival is as follows:

Rose Bowers132
Miss Bridwell100
Jane Sexton52
Hilda Burton40
Mrs. Ed. Jenkins40
Ivy Price40
Lillie Corgie20
Florence Lewis20
Annie Fowler10
Belle Weller10
Mary Hill8
Pearl Tomlinson1

PERSONALS.

State Superintendent of Schools Nelson is in Heber today visiting the schools there.

James McMillan, general manager of the Intercontinental Oil company, has returned to his home in Evanston.

SHE EXPECTS IT.

It matters not whether it is your best girl or your second best girl, your pride should suggest a good ring. She will appreciate it and you will feel better about it. If you've got the girl you have the rings. H. L. Schwartz, 6 E. 3rd South. Watches cleaned or main spring 75c. Second floor east of Drushl Frank's Drug Store.

DIED.

FLOWERS.—At the residence of Bishop G. R. Jones, Salt Lake City, December 3, 1901, of old age, Mrs. Harriet B. Flowers, wife of the late James Flowers. Deceased was born at Gilderton, Norfolk, Eng., September 28, 1823.

Funeral services will be held Friday at 1 o'clock from the Twenty-third ward meeting house. Remains may be viewed at residence of Bishop Jones, north of Warm Springs, from 11 until 12:30 on the day of funeral.

THE NEWS

JOB AND BINDERY

Departments are newly and completely equipped with

EVERYTHING MODERN AND UP-TO-DATE.

BLANK BOOKS AND RECORDS A SPECIALTY.

ESTIMATES FURNISHED ON WORK OF ANY CLASS.

ADVERTISERS Should Use the Semi-Weekly News

If they desire to reach the people of the Western States and Territories in their homes.

CIRCULATION BOOKS OPEN TO ADVERTISERS

CLOSING SALE!

In order to make room for our other departments, we have concluded to close out our

Glass and Crockery

department. It is a well known fact that our fancy goods in this department have been priced fully 25 per cent less than they can be bought elsewhere. Notwithstanding this, we will sell ANYTHING WE HAVE in this department at

25 PER CENT BELOW REGULAR

Price. This is an extraordinary opportunity. These prices will hold good for ONE WEEK ONLY from Wednesday, Dec. 4th. Among the stock will be found White Granite Teas, Plates, Bakers, Platters, Jugs, Etc. Ten full stock patterns besides 100 piece Dinner Sets in Porcelain Ware, French China goods. A fine line of Wedgwood and Jasper Ware. Bohemian and Venetian Glass Ware, Vases, Art Pottery, Lamps, Cut Glass and an endless variety of First Class Goods.

H. Dinwoodey Furniture Co.

BUY YOUR TOY TRUNKS

At the Factory, 155-157 Main.

A Large Line of

SUIT CASES

for Christmas Presents, Pocketbooks, Purse, Card Cases and Bill Books, the Largest Line in the City.

Oliver R. Meredith.

True Art Is to Hide Art.

Cut showing improvements in appearance that we make with the proper use of artificial dentures.

\$4.85 For a Good Set of Teeth

If you are a wearer of artificial teeth, or expect to be soon, you should call on the Griswold Dental Manufacturing Company. You will be surprised to know how good a set can be obtained for \$4.85. You cannot obtain the same grade anywhere else for less than from \$10 to \$15.

\$8.50 buys the best set of teeth made—no better grade to be had, though you pay \$50. The best teeth, the best workmanship, perfect in every respect and fully guaranteed. There is no profit in the above at these prices. We are only quoting the price to introduce our work, and for cash only, until January 1, 1902.

EXTRACTING—We extract teeth positively without pain. No danger. No sickness. The price is 50 cts.

Griswold Dental Manufacturing Co.,

Over Walker Bros. Bank. Where we have been for over 12 years.

Waist Sale!

Cohn's

Waist Sale!

Cohn's For Waists.

That's the Household Word in Every Salt Lake Home.

OUR WAIST SALES from time to time have been a source of great surprise and wonderment to the most experienced shoppers, and it is our purpose on Thursday to outshine all former successes in the way of waist values by presenting the most important waist sale in the history of this store.

SALE LASTS ONE DAY ONLY—

Thursday.

Flannel.

Silk! Silk!

EVERY NEW AND DESIRABLE PRODUCTION AND THE ENTIRE RANGE OF NEWEST COLORINGS IN FRENCH FLANNEL WAISTS IS REPRESENTED HERE, FROM THE PLAIN STYLES TO THE FANCY TUCKS, AND ELABORATELY EMBROIDERED STYLES. THE PRICES OF THESE WAISTS WERE NONE LESS THAN \$3.50, AND SOME AS HIGH AS \$5. IN THIS SALE THEY WILL ALL BE PRICED AT—

\$1.98 Each. \$2.98 Each.

AN IMMENSE AND CHOICE COLLECTION OF RICH SILK WAISTS IN PEAU DE SOIE, TAFFETA, CREPE DE CHINE, ETC., IN DAINTY EVENING AND STREET SHADES, MADE IN A VARIETY OF ELEGANT STYLES. WAISTS THAT WERE MARKED TO SELL AT \$4.00, \$4.50, \$5.00 AND UP TO \$10.00 EACH. IN THIS SALE THEY WILL ALL BE PRICED AT—

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